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# A CENTENARY STUDY

# Upper Canada.

A PAPER READ BEFORE THE

LUNDY'S LANE HISTORICAL SOCIETY,

—BY—

**REV. E. J. FESSENDEN, B. A.,**

RECTOR OF CHIPPAWA, ONT.

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# A CENTENARY STUDY.

IN this Centenary of our Province there are many monitions, among them England's diplomatic controversy with America arising out of Canadian issues, which remind us that our entrance upon this second century of Canadian history is inevitably becoming a turning point in the public policy of the Greater Britain. And with this policy lies the future of our Dominion and Empire.

It is most fortunate that the year we commemorate recalls to mind that nothing can give us more light and guidance, as to what we may and ought to make that policy, than to turn to "the rock whence we are hewn." That "rock," the soul of Canada, the "original righteousness" of our Canadian constitution and patriotism, was given us a hundred years ago, in the coming of the United Empire Loyalists.

An eagle voice, within hearing distance, perennially reiterates that the breath of its Fourth of July declaration, while it gave birth to a *United* States of America, calcined to ashes, in the freshness of its youth, the United Empire of England. But our Centenary is the remembrance that those ashes, blown to our shores, arose the phœnix of our United Empire, beautiful and eternal in our Dominion of Canada.

The American Revolutionary struggle had a *two-fold* result—the birth of Canada, as well as the independence of the thirteen colonies, and the last word of history will never say that the cause which created Canada failed, in the centuries, to be triumphant.

A fair and intelligent statement of the origin and progress of the American Revolution, so far from pointing, as is sometimes held, to the eventual independence of all the colonies, as the natural goal of

their growth and development, reveals the fact that nothing but a sinister combination of adverse circumstances, such as can never occur again in the Empire, made the separation that then took place possible.

A true analysis of that conflict, which has in the past and must in the future so dominate our Canadian destiny, gives the most incontestable evidence that the principle and sentiment of loyalty and devotion to the Mother Country and the United Empire is all-powerful in Colonial national life, and best conserves that life's highest interests. Let us make that analysis.

Like our present, the peace of Paris in 1763 marks a turning point in English history, brought on then by the growth and position of the American Colonies.

Three classes in the Empire had taken part in the creation of her Colonies. The Home Government sought by colonizing to extend England's power ; English merchants and manufacturers promoted colonization for the enrichment of their trade, while the Colonists left the Home Land to improve their own condition and that of their posterity.

The problem given English statesmanship to solve was, by her Colonial legislation to harmonize this three-fold interest of the public weal ; to bring all three into cordial co-operation in advancing the one imperial object of growing greatness and well-being. In the past this had been fairly well done, without any perilous conflicts of rights and interests.

But the Colonial legislation following upon the peace of Paris was conceived of the impolitic design to strengthen the parent state in the Empire by weakening the Colonies. Each act of this ill-starred policy robbed the Englishmen on the western shore of the Atlantic of some birth-right or privilege sacred to them under the constitution.

The Colonies, with an irrefragable unity of public conviction and purpose, stoutly resisted these measures, and the whole Empire

was plunged into the throes of a great constitutional struggle, in which an appeal to arms was made. (1)

But such a struggle was no new thing in English history ; it had more than one parallel in the past.

It has ever been through such struggles that England's constitution has broadened its freedom and deepened its rights.

While the issues that inspired the victors in the past, however great they had been, could not touch the heart and move the judgment with such brilliancy of sentiment and force of conviction as those then at stake ; the Colonists, like the Barons of Runnymede, were contending for their Magna Charta—but the Magna Charta of the Greater Britain. They would be unworthy of their ancestry and unfaithful to their cause, not only in the Colonies but in the whole commonwealth, if, by renouncing their citizenship in the Empire, they gave up as hopeless their maintenance of the constitutional rights and liberties of Englishmen on the American shore. And, however much the conflict had deepened, their cause was anything but hopeless to English force of will, when Franklin and his fellow

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(1) The Congress of 1775 declared the Colonies to be a unity in their determination to defend their rights, and John Adams stated at the same time, "All America is united in sentiment, every colony, "county, city, town, and hundred upon the whole continent. One "understanding governs, one heart animates the whole." Quoted by Bancroft, History of the United States, vol. VII., chapter XXV., p. 234.

Sabine, an American historian, gives, in his "Loyalists of the American Revolution," repeated instances of leading Loyalists defending the constitutional rights of the Colonies and taking the lead in this defence till the declaration of Independence made such defence no longer possible. Evidence of this is given in Ryerson's "Loyalists and their Times," vol. I., p. 479. Frothingham's "Rise of the Republic of the United States," pp. 438-9: "The first opposition in 1763 to the "infringement of Colonial rights proceeded from the General As- "sembly of New York." The majority of which Assembly were afterwards of the Loyalists.

Bancroft (Museum Edition), vol. III., p. 363. The same edition, vol. IV., p. 582 :—We are told that Dickinson, the Loyalist, in the second petition of Congress to the King, drawn up by him, did not ask merely for relief from Parliamentary taxation—he required security against the encroachment of Parliament on charters and laws, &c., and he was included in the King's proclamation, issued upon the receipt of this petition, among "the dangerous and designing men," whom, together with every member of Congress, as rebels and traitors, the civil and military officers were ordered to bring to justice.—Bancroft.

leaders created the Independence party, and out of the "blue" of those secret sessions of the Continental Congress, confounded the friends of the Colonial rights, throughout the Empire, by the rebel bolt of American Independence. (2)

Up to that fateful moment the Thirteen Colonies were as one man in the defence of their rights. Only a few Imperial office-holders and their retainers had dreamed for an instant of yielding to Lord North's Ministry, and they were too insignificant to breathe even the semblance of a dissentient public voice. (3)

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(2) John Adams, in nominating Washington Commander in Chief, before the question of Independence had been broached in Congress, said :—"Millions in England think it unrighteous to make war upon "us. The City of London has bound her members under their hands "to assist. Bristol has chosen two known friends of America. "Many of the most virtuous of the nobility and gentry are with us, "among them a St. Asaph, a Camden, and a Chatham—the best "bishop, as great a judge as the nation can boast, and the greatest "statesman it ever saw." Bancroft VII., p. 235. Bancroft, in the IV. vol. of his history (The British Museum Edition,) says of the debate in the House of Lords of January, 1775, that it went forth to the Colonies as an assurance that the inevitable war "would be a "war with a Ministry, and not with the British people—it took from "the contest the character of internecine hatred—showed that the "true spirit of England, which had grown great by freedom, was on "the side of America.

Congress and Washington called the army they were fighting, before the declaration of Independence, not the Royal or English, but the Ministerial, army. Life and Correspondence of President Reed by his grandson, vol. I., pp. 186 and 175. Lord Mahon's History, vol. VI., p. 92.

*Washington to Reed, March 19, 1776.*

"CAMBRIDGE.

"DEAR SIR,—

"We have at length got the Ministerial troops in this quarter on shipboard," &c.

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(3) President Dwight of Yale College says, (in his Travels, vol. I., p. 159): "In July, 1775, I urged in conversation with several gentle-"men of great respectability, and my intimate friends, the import-"ance and even necessity of a declaration of Independence on the "part of the Colonies, but found them disposed to give me and my "arguments a hostile and contemptuous, instead of a cordial, recep-"tion, and these gentlemen may be considered as the representatives "of the great body of thinking men of this country."

Jefferson says, in his Memoirs, vol. I., p. 8. : "I took the ground "that our emigration from England gave her no more rights over us "than the emigration of the Saxons gave to the present authorities "of the mother country over England. In this doctrine I had never "been able to get anyone to agree with me but Mr. Wrythe ; our "other patriots stopped at the half-way house of John Dickenson."

The party in opposition in the Imperial Parliament had made Colonial rights the burning question of the hour. Chatham, and Camden, and Richmond, and Burke, and Fox, and Cavendish, with their splendid following, were chivalrously and brilliantly vindicating the action of the Colonies.

And these great statesmen found their supporters in and out of Parliament daily increasing. The merchants of London, and of all the large towns of England, were sending up petitions asking for the repeal of the trade regulations and duties rejected as illegal by the Colonies.

The party in power at home began to feel themselves caught in the fateful draw of their impending overthrow.

They had staked their existence as a Ministry upon the accomplishment of their Colonial measures and the truth of the statement that there was a party in the Colonies in their favor.

Their statements had been falsified and their measures had utterly miscarried, and they were discredited accordingly.

Though they put forth every effort to divide it, the solid phalanx of Colonial indignation remained unbroken; and picked English troops, with no heart to fight against Englishmen defending their liberties, were everywhere repulsed by half-armed Colonial volunteers.(3*a*)

Tottering to their fall, they made their last venture. They charged the Colonies with the political crime of hiding, under their

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(3*a*) In the debate in Parliament upon the motion to enforce the Stamp Act, "I shudder at the motion," cried General Hamond, while the crowded House listened as if awed into silence. "I hope it will "not succeed, lest I should be ordered to execute it. Before I would "imbrue my hands in the blood of my countrymen, I would, if "ordered, draw my sword, but would sooner sheathe it in my own "body." Bancroft, vol. III., pp. 568-9.

Bancroft tells us, vol. IV., p. 483:

"Many of the best officers in the English army would not will-"ingly bear arms against their kindred in America."

He has also recorded, vol. V., p. 25:

That in July, 1776, the merchants of Dublin applauded the Earl of Effingham for refusing to draw his sword against the laws and liberties of his fellow subjects in America.

contention for constitutional rights, a sinister purpose of separation from the Empire.

And this last accusation would have been proved false had the Congress of 1776 adhered to its own declaration of principles and avowal of purposes—principles and purposes for the furtherance of which, alone, it had been created and convened. But for its surreptitious declaration of Independence, 1777 would have seen the friends of Colonial rights triumphant in England—would have seen the unity of her Empire and the vindication of her constitution firmly secured beyond reasonable chance of future miscarriage. There is strong evidence that Lord North felt this—had ceased to believe in his own declarations and policy—had decided to yield, and was opening up negotiations through which he hoped to carry out his purpose. (3*b*)

With such a victory within measureable distance, the declaration of Independence was sprung upon the Loyalists. That declaration brought to them not only the pain of their own confusion, but the bitter shame of the betrayal of their friends in England, who had

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(3*b*) Bancroft, vol. V., p. 244 :

Letters patent were issued on the 6th May, 1776, conferring power on Lord Howe to offer terms of reconciliation to the Colonies in arms. Lord Howe was one of the leaders of the party of constitutional rights of the Colonies. He was at the time on the most friendly relations with Lord Chatham, and he caused it to be stated on his authority that he would not go on this mission to America unless he had power to offer the Colonies their constitutional rights and liberties, and proclaim pardon to those who had taken up arms. (Dr. Reed's Correspondence, vol. I., pp. 195-6.)

On the very day that the declaration of Independence was read in the camp of Washington at New York the English fleet bearing Lord Howe stood off the harbor. (Bancroft, vol. V., pp. 343-4.)

Upon landing, Lord Howe wrote to Dr. Franklin, with whom he had been on terms of closest intimacy in England, telling him that "he "had really powers to negotiate with the Colonies as *friends* for terms "of lasting peace," and Franklin would know that this from Lord Howe meant the Colonies would be assured their liberties. Franklin's harsh answer, given in the name of Congress, was, "No peace except "America be independent." When Howe read this "his counten- "ance grew more sombre, tears glistened in his eyes. He looked "within himself and was conscious of aiming at a reconciliation on "terms of honor and advantage to both parties." Dr. Reed's correspondence, vol. I.

fought their battle there, confiding in their good faith, repeatedly pledged. (4)

The Earl of Chatham, before he delivered his famous speech which electrified all England, sought a personal interview with Dr. Franklin, as a distinguished representative of the Colonies, and ascertained from him distinctly, that there was neither "tendency nor danger of the Colonies separating from the Mother country, but that they were universally loyal to her," and with this assurance the noble Earl warmly eulogised the American Congress, not only for its loyalty, but for its generous recognition of England's rights under strong provocation to deny them.

But while his words were still on everyone's lips in England, the news came that the Congress, so warmly eulogised, had renounced all connection with England, had repudiated her authority and the principles of her government.

And it was not known that the Congress had done this, proclaimed to the world as its unanimous action, by a catch majority, and with no commission from the Colonies to do anything of the kind.

The political effect was to gibbet the friends of Colonial rights in England, at the cross-roads of public opinion, as either deceivers or dupes, and to turn the impending defeat of the Ministerial policy in Parliament into triumphant victory.

From the Loyalist point of view, not only was the declaration of Independence an ignoble surrender in sight of victory, and a most unwarranted desertion and misleading of friends who were generous-

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(4) Bancroft, vol. IV., (Museum Edition) p. 197, admits that "the "question was looked upon in England not as a narrow Colonial one, "but as involving the reality of representative government, the cause "of the people—everywhere the same." He tells us "that under the "leadership of Yorkshire, societies were formed in England, and "public meetings held, to defend the liberties of England and "America alike from being trampled upon by a venal parliament."

Again, vol. III., p. 576 : "After the repeal of the Stamp Act, the "crowd pressed on Grenville with hisses, and reverently pulled off "their hats to Pitt and applauded. During the debate the lobbies "were crammed with men trembling and anxious."

Bancroft says, vol. III., pp. 443-4-5 : Grenville was in favour of an American representation and was resolved on proposing it, and Jackson joined him in this.

ly risking much for their sake, but it was a *coup d'etat* more violently unconstitutional that the Revenue Acts of Lord North's Ministry the Colonies were resisting. (5)

The Congress that passed this declaration had been elected, as stated in the credentials given to its members, as delegates from the several Colonies, to obtain redress of their grievances, and to restore harmony between them and the Mother Country, which, it was said, all good men desired. And it was hoped this could be secured through a Bill of Rights, in which the powers of the Mother Country and the Colonies might be defined.

And when the second petition of Congress had been rejected, and the King's proclamation, declaring all to be rebels who resisted the acts of the Imperial Parliament, had been received; and the delegates of Pennsylvania were asking for further instructions, the Legislature of that Colony being then in session, Dr. Dickinson, the immortal farmer whose masterly letters had done so much to enlighten the public mind in England and America on the rights of the Colonies, reported, and carried in the Pennsylvanian Legislature, the following instructions to its delegation :

"We direct that you exert your utmost endeavours to agree upon and recommend such measures as you shall judge to afford the best prospect of obtaining redress of American grievances, and restoring that union and harmony between England and her Colonies so essential to the well-fare and happiness of both. Though the oppressive measures of the English Parliament and Administration have compelled us to resist their violence by force of arms, yet we strongly enjoin you that you, in behalf of this Colony, dissent from, and utterly reject any propositions, should such be made, that may cause or lead to a separation from our Mother Country, or a change of the form of this Government." (6)

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(5) Bancroft, vol. IV., p. 567 :

"The Congress that passed the declaration of Independence "formed no confederacy, they were not an executive government, "they were not even a legislative body. They were committees from "twelve Colonies, deputed to consult on measures of conciliation, "and held by explicit and implicit instructions."

(6) Of the nine delegates Pennyslvania had elected to Congress in November, 1775, Franklin stood alone as an advocate of Independence.

Bancroft, vol. V., p. 85 :

The Pennsylvania Legislature gave these instructions to her representatives when all the resentment awakened by the odious measures of Parliament, and the King's answer to their petition, and all the enthusiasm awakened by the recent victories of Bunker's Hill and Lexington, were at their highest pitch; and at the same time that it called upon the people to take up arms, and voted £80,000 to the war expenditure.

Upon the meeting of their several Legislatures, Pennsylvania's example was followed by, among others, Delaware, Maryland, New Jersey and New York.

The Congress, created and empowered under this mutual understanding and good faith between the Colonies, passed its declaration of Independence in utter contravention of the purpose for which it was created, and in opposition to the repeated instructions sent up from many of the Colonies. (7)

This Congress revolted from England in the face also of its own proclamation, issued when it appointed Washington commander-in-chief and organized the higher departments of the army, and issued bills of credit for £3,000,000 to defray the expenses of the war, and after the battles of Lexington and Bunker's Hill, and when the English army was shut up in Boston by the Provincial Volunteers—a proclamation in which they say: "We are reduced to the alternative of choosing an unconstitutional submission to an irritated Imperial Ministry or resistance by force of arms. This last is our choice. Honor, justice and humanity, forbid us tamely to surrender that freedom we received from our gallant ancestors, and which our innocent posterity have a right to receive from us."

And they go on to say: "Lest this declaration should unquiet the minds of our friends and fellow subjects in any part of the Empire, we assure them that we mean not to dissever that union which has so happily subsisted between us and our Mother Country, and which we sincerely wish to see restored. We have not raised arms with ambitious designs of separation from England."

The sessions of Congress were held with closed doors, and their proceedings, except such part as the majority chose to reveal, were kept inviolably secret. Three members—Jefferson in his Memoirs, and Dr. Reed in his Correspondence, edited by his grandson, and

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(7) "The Independence resolution of the Virginia Legislature was "not presented to Congress till June 5." Life and Correspondence of President Reed, vol. I. Dr. Reed says: "That this action was taken in Congress without a single imprimatur from any Colony." He is speaking of the introduction of Lee's Independence resolutions in May, and of Adams' resolutions advising the Colonies to re-model their governmental organizations.

Joseph Gallaway—have given us most conflicting statements of what took place. As to the majority in Congress in favor of Independence, Jefferson says in his Memoirs, note B., appendix vol. I.: "It appeared in the course of the debates that took place in May, 1776, upon Lee's resolution of Independence, that the Colonies of New York, New Jersey, Pennyslvania, Delaware, Maryland and South Carolina were not yet matured for falling from the parent stem: that means that the Legislatures and Representatives in Congress of these Colonies were Loyalists. Only twelve Colonies were at that time represented in Congress. Jefferson says that, finding the vote would be a tie, the Independence party did not divide, the House but adjourned the debate."

It is clear the debate was adjourned that the jeremandering measures the Independence party were taking to change the character of the recognized institutions of government in the Colonies might have time to take effect in their favor.

"The Life and Correspondence of President Reed," vol. I., pp. 184-5, tells us that John Adams, immediately upon the adjournment of the debate, May 10, 1776, introduced his resolution recommending the Colonists to re-model their governments. Lee introduced a preamble, which, after *earnest debate*, says Dr. Reed, was passed, which denied the necessity or reasonableness, while the King's present proclamation was not withdrawn, of allegiance to any Government under the Crown, and that the exercise of all authority under the Crown should be discontinued.

Strengthened by this action of Congress, the Independence party changed the character and *personnel* of the Colonial Legislatures so as to obtain control of the Loyalist Colonies.

The institutions of government then existing under the Colonial charters, in the Loyalist Colonies, such as the Pennsylvanian Legislature, of which Mr. Dickinson and his fellow Loyalists were members, contended that all that Congress professed to desire by its resolution could be effected by the existing representation of the people, that there was a Government in every Colony sufficient to the exigencies of affairs; and the Loyalists refused to sit in any

Legislature where no oath to the King was taken of its members. But the new Legislatures, where organized, and the new delegates chosen by them, were the only ones of their Colonies recognized by Congress.

If we accept Jefferson's statement, followed in the main by Bancroft, without the gloss of either, it was the Independence resolutions and delegates, sent up to Congress from the new Legislatures sprung upon the country as a Home Rule Policy, in a crisis of greatest confusion and perplexity, that enabled the separatist party to force their declaration of Independence upon the Colonies. "The true inwardness" of the Independence movement is very much the same whether, in unravelling its history, we follow a Jefferson, a Gallaway, or a Reed. (8)

By a master stroke of policy, on the part of the Independence party, it had been agreed upon, before hand, to take the vote by Colonies, and that the decision on the question, whatever might be the state of the vote, should appear to the world as the unanimous vote of the Congress. By this means the signatures of those who opposed, as well as of those who voted for it, were affixed to the declaration.

By such devices, after such a struggle, did the Independence party carry its resolutions in the Congress.

But when they had carried them there, they never ventured to submit them to the people. A popular vote upon American Independence was never taken. The statement that the Loyalists took the side of England *against America* is utterly misleading. America never was given her plebiscite, never was permitted to choose her own destiny, never was allowed to tell us whether she looked upon the Loyalists or the Independents as her children, and the defenders of her cause. On the contrary, the Independence party, having obtained control of Congress in the manner above described, and, by this control, possession of all the resources of political and military

(8) Mr. Sabine, vol. I., introduction, shews that the large majority of the patriot press of the country, up to 1776, was in favor of maintaining at all costs the connection with England.

power in the Colonies, denied to their fellow subjects all liberty of Loyalist speech and opinion. They outlawed as traitors and followed with confiscation, imprisonment, and death, all who refused to renounce their allegiance to England and make their oath to the Congress. (9)

The result was, that by the most vigorous pressure they could bring to bear upon popular opinion, enforced by the infliction of the most extreme Legislative and mob violence upon the citizens, the party was only able to secure the adherence, passive and active, of possibly something more than half the population.

The unauthorized and tyrannous action of the Independence party in Congress changed all the issues of the conflict with those in power at home, and compelled the Loyalists to chose one of two alternatives, not at all of their making or to their liking. If they fought for the unity of the Empire in its great peril, they must take up arms against their fellow Colonists, who, up to that moment, had been their trusted compatriots. They must put off for a more convenient season their defence of Colonial Rights, and they must join hands, for the time, with the odious faction of office holders, the hated minions of Lord North's Ministry.

But if they accepted the declaration of Independence, they must turn their hand against the Mother Country, dearer to them than life, and bid adieu to all their cherished hopes of the ever broadening England of their Colonial homes; they must seek an unnatural alliance against England with France, the hated ogre of their Colonial life, the France who for a century had mercilessly sought their utter extermination by fire and sword, had filled the encircling forests of their frontiers, for those hundred years, with the spectre and horror of the Indian's tomahawk and scalping knife, and France would form the alliance that she might wreak her vengeance on England for delivering them out of her hands. (9½)

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(9) As to the inhuman cruelties inflicted upon the Loyalists, see introduction of Sabine's American Loyalists, vol. I.

(9½) Bancroft tells us, vol. IV., p. 109, that Samuel Adams, from September, 1768, struggled deliberately and unremittingly for Independence. And the same historian also tells us that Samuel Adams, long after this, prepared the instructions sent by Massachusetts to Dr. Franklin as her agent in England, commissioning him to assure the English Government that the people of Massachusetts wished for nothing more than a permanent union with England on a constitutional basis.

Amid this craft of friends and breaking up of old issues, hunted to the death by the Independence party, looked upon coldly and askance by Lord North, whose tyrannous Colonial policy they had effectively opposed, the cause of England in the war misdirected and suffering, through the contempt of those in power for them and their councils; amid all this the founders of Canada remained steadfast and unmovable in their loyalty.

> "Abdiel faithful found,
> "Unshaken, unsubdued, unterrified,
> "His loyalty he kept."

The declaration of Independence has been portrayed for us as the spontaneous uprising of an oppressed people. As a matter of fact it was, if we may adopt a Lincolnian illustration, "a forced swapping of horses in mid-stream" that divided the Colonies, up to this time enthusiastically one, into two bitterly hostile and outraged camps.

The declaration of American Independence has been proclaimed the birth of a nation; for those who became the Canadian Loyalists it was the breaking up of the oneness of the Anglo-Saxon race in the unity of an Empire, which carried in the ark of her destinies all that is worthiest in the present and future of the world.

The declaration has been held up to a people's gaze as an heroic venture for liberty.

It was unquestionably an heroic venture, but it was risked for American Independence. It was anything but the free, constitutional action of the people in whose name it was made, and it was an abandonment of their "rational ordered English freedom that through centuries has advanced from stage to stage of progress, deliberate, calm, never breaking with her past, but making every fresh gain the basis of a new success, enlarging her people's liberty while bating nothing of the height and force of individual development."

I shall speak very briefly of the part taken by the Loyalists in the war after it became one of Independence.

The American historian Sabine is my authority for saying that

probably the Loyalists in the King's army exceeded in number the army enlisted under the Continental Congress. (10)

But probably the Loyalists did not number more than half the population, and if not, then they were more ready to defend their principles with their lives than were the so-called Liberty men ; and the fortunes and interests which the Loyalists sacrificed to take the side of the Empire were far greater than their opponents. We have evidence of the soldierly qualities and patriotism of the Loyalists in the changed fortunes of the war upon their leaving the Provincial forces after the declaration of Independence. The brilliant and all important victories gained in 1775 and the early part of 1776, by the United Colonial army, unprepared and deficient in arms as it was, upon the Loyalists leaving were turned into the disastrous defeats of 1777 and 1778. And even when France and Spain came to the rescue of the Independence Congress, nothing but the unparalleled skill and courage of Washington, opposed to the no less unparalleled incapacity of the English Generals, turned the fortunes of the war against the Loyalists.

As to the inhuman cruelties practised in the war, it makes all the difference who began them as to the relative guilt of the contending parties, and the Independence men were the first offenders.

Upon the Loyalists refusing to be torn from their inheritance, with its memories of the past and hopes of the future ; when they would not consent to have the ragged ends of their lives spliced by Congress surgery upon whatever might be left dangling for them in its new world of American Independence, Congress pursued them with its legislative violence, outlawed them as traitors, and sent the Indians upon the war path against them ; voted £40,000 at once as bounties to the Indians, not indeed for scalps, but for every

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(10) Sabine's American Loyalists, vol. I., p. 48:

"In nearly every Loyalist letter or other paper that I have examined, and in which the subject is referred to, it is either assumed or stated in terms that the Loyalists were the majority, and this opinion, I am satisfied, was very generally entertained by those who professed to have a knowlege of public sentiment." And p. 72 of above: "In an address of Loyalists in 1779, presented to the King, it is said that their countrymen in His Majesty's army exceeded in number those enlisted by Congress."

King's man who might have fled to them for protection, or might have his home on their frontiers.

The Massachusetts Legislature in one of its acts designated by name and occupation and residence 380 of her people, and denounced against them death without benefit of clergy, and without judge, jury, or opportunity of defence, simply because they were reported to be Loyalists, and similar measures were passed in other Colonies.

In political brutality the little finger of the Independence party was thicker than the loins of Lord North's Ministry. Instigated by this legislative violence, the party blackened its cause still further by their "mob violence," their brutal tarring and feathering of their Loyalist neighbors, hissing and hooting them, burning down their houses and maiming their flocks. These things they did to such families as the Robinson's and Sewall's and Doane's, and many another.

Against this cruelty and tryanny the Loyalists aimed their revenge, and let him who thinks that under such provocation he would have been without sin cast the first stone at them.

Then the tales that have come down to us of what the Loyalists did were published by the Independence party for political effect, and were of the most exaggerated and inflammatory character, full of the grossest misrepresentations, and doing them the greatest injustice.

It is now known that Dr. Franklin went so far in political enterprise of this kind as to write a purely fictitious story of Indian and Loyalist massacre, and let it be published as true, that it might stimulate recruits for the army and apportionments from the people. And this story in many quarters was long supposed to be authentic, and passed into American history as such.

When Franklin did not think connivance in this sort of thing beneath his position and character, it can easily be imagined what a sorry trade may have been done by others. (11)

(11) Ryerson's United Empire Loyalists' Chapter on the Wyoming Massacre and the authority he quotes :—

Ramsay's United States, vol. II., p. 321, "Wyoming" :

"In this remote settlement, whose government was feeble, the Tories were under less control. Nevertheless 27 of them were taken

The Wyoming massacre is a striking instance of this picturing of Loyalists as inhuman monsters. Instead of Wyoming being the peaceful and innocent settlement described by the historians of Congress, and immortalized in Campbell's song, it was a virulent hot bed of the revolution.

It had sent several hundred volunteers to the Congress army, and the Royalists who planned its capture were its own people, who had been driven from the valley, whose property had been confiscated and their families mobbed by the very settlers there whom they attacked.

The settlement was not surprised. The first fort attacked had surrendered, and the American commander, a Colonel Butler, sought by a quick movement of attack to surprise the Loyalists on their march against the remaining forts, but was discovered by an Indian scout, and found the Loyalists prepared to receive him ; was defeated and fled into Fort Wyoming, and, with the American regulars, escaped. The local garrison then surrendered on condition that the settlers in the valley should not be molested, they stipulating that the Loyalists should be restored their property and allowed to return to their homes.

The Colonel Butler who commanded the English force, did all in his power to fulfil these terms, but the Indians broke away from his control and entered upon a scene of plunder. The garrison, however, escaped down the river and the people had already fled into the mountains. On this basis of fact, painful no doubt, but not anything like a massacre, was built up the revolutionary myth of Wyoming, with its burning houses filled with women and children, and its army decoyed by a flag of truce into a deadly ambuscade of Indians. The employment of the Indians on either side makes one of the darkest pages in this cruel war. But we must remember, in defence of the Loyalists, that, driven from their homes, their property seized,

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and sent to Hartford, in Connecticut, but were afterwards released. These and others of the same description, instigated by revenge against the Americans, from whom some of them had suffered banishment and loss of property, made a common cause with the Indians, and attacked the settlement."

their lives made a prey, there was no place for the soles of their feet but among the Indians ;—and Congress followed them there. One of its first acts after the Declaration of Independence offered large prize money for every Loyalist the Indians should betray to them. The Massachusetts Legislature wrote a secret letter to a missionary of great power among the Indians of Western New York, entreating him to send the Indians on the war path against the Loyalists ; though this same legislature publicly expressed the greatest indignation against the English use of the Indians at a later period. (12)

The employment of the Indians by the English was brought about in this way : When the Indians who had given them refuge were attacked the Loyalists joined in the defence ; and they accepted the alliance of these Indians when, in turn, they sought to regain their homes. And what else, as men, were they likely to do?

The Indians themselves suffered at the hands of the Congress Army far greater cruelties than they inflicted. The stain of their tragic fate is on American history as indelible as the blood of a murdered Duncan on the hand of a Macbeth.

When at length negotiations looking to a recognition of American Independence were begun at Paris, what should be the fate of the Loyalists proved to be one of the most difficult questions of the treaty.

England, after the custom of the civilized nations, asked that the Loyalists should be restored to their property and civil rights.

But Franklin arrogantly and bitterly opposed this with all the resources of his ingenious and fertile diplomacy, and England yielded and left the Loyalists to the tender mercies, or, as it proved, the

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(12) Congress on June 3, 1776, passed a resolution to raise an army of 2,000 Indians for the Canada expedition. Washington advised Congress to engage the Indians on their side, in his letter of April 19th, 1776. Doctor Andrews' History of the American War, vol. 2, pp. 301-2, and the Ladlaws' History of the War of Independence, p. 126.

Lord Mahon in his history, vol. 8, pp. 420-1, gives the letter of the Massachusetts Legislature to the Indian Missionary, and gives as his authority the letter of Lafayette to Washington, June 12th, 1779, and also Life of President Reed, etc., vol. 2, p. 18.

The Americans have never had the self-respect to erase from the forefront of their Constitution the misleading charge against England—embodied in the Declaration of Independence—of "endeavoring to bring on the inhabitants of our frontiers the merciless savage."

gauntlet of their implacable foes. In these negotiations one knows not at which most to marvel—the boldness and skill of the American Commissioner, or the subserviency and ignorance of the English. They were very unequally matched—Franklin, a man of remarkable parts and great public spirit, Mr. Oswald, an ordinary merchant engaged in the American trade, and knowing nothing of the matter in hand except as it affected his private interests. The one was a palpable tool in the hands of the other. Franklin's plea that Congress had no power in granting amnesty to the Loyalists because it had no power over the action of the Colonial Legislatures, was manifestly a mere pretext.

If true, how could Congress agree as it did, under the treaty, that those Legislatures should make no more confiscations and conscriptions; and, if the plea had been good, Congress had ample resources at hand for compensating the Loyalists in that vast territory comprising the present States of Ohio, Indiana, Michigan, and the States west of them to the Rockies, a domain ceded to Congress by England in the treaty, and in which not one of the thirteen Colonies held any separate rights. Besides, there was no necessity, as Mr. Oswald urged in defence of his surrender, that England should continue the active prosecution of the war, if she insisted upon Congress acknowledging the rights of the Loyalists. She was mistress of the seas; she had only to continue to hold the American forts on the Atlantic—New York, Charleston, Long Island—until Congress granted what England was in all honor bound to claim. And it made all the difference whether the rights of the Loyalists were secured to them under treaty from the American Government, or they were to come before an English Board of Commissioners *in forma pauperis* asking for help out of the pockets of English ratepayers, a thing which some who suffered most did not bring themselves to do. There were some 30,000 Loyalists who settled in what is now Canada, leaving out those who went to England, the West Indies and elsewhere, while only between 3000 and 4000 ever sent in their claims for compensation.

When the treaty was signed, England hastened to make all the

amends possible by most generous treatment of her faithful subjects beyond seas, who had suffered the loss of all things in her cause. But do what she might, it was then impossible to prevent the untold sufferings and hardships the Loyalists had still to pass through in that noblest epic migration of modern times, their settlement of Canada. "Why did you come here," was asked of a distinguished Loyalist of New Brunswick, "when you were certain to endure all the sufferings and absolute want of food and shelter you have narrated?" "Why did we come here?" replied he, with emotions that could not keep back the tears, "For our Loyalty." That was the clay, baptized in their sufferings, which the hands of the coming years were to mould into Canada. It was with no light heart the Loyalists set their faces northward, that once more their feet might find English soil. Canada, as reported to them, was a land of intense cold, wilderness and swamp, full of venomous reptiles, prowled by savage beasts and still more to be dreaded Indians.

The hardships, exposures and privations endured by the Loyalists in making their way from their confiscated homes to Canada, were longer and more severe than any Everett has been able to tell us of the New England Pilgrim Fathers; and the persecutions which sent these Fathers of New England voyaging to Plymouth Rock was but a morning shower when compared to the mobbings and imprisonments, confiscations and death, that fell in savage fury upon the Faithful of Old England in the days of the American Revolution; and drove the remnant that was left into the wilderness of Canada. The Pilgrim Fathers could keep harvest home festival of a week's continuance, at the end of the first year from their landing. But the Loyalists were in most instances forced to seek a home in Canada, without food or shelter, and at a season too late for any clearing of the forest and seed sowing; and the supply of food and other necessaries the English Government was endeavoring to send them, by some mismanagement, was frozen up in the River St. Lawrence.

While the New England Fathers were keeping harvest home, the Loyalists of Canada were passing through all the rigors of famine. In some instances the cattle that were browsed upon felled trees in

the forest were from time to time bled, that the blood might be had for food, so fierce and close was the struggle for life.

On the Bay of Quinte and in the Niagara District ladies brought up in luxury and comfort might be seen in the early spring woods gathering in their aprons and baskets the swelling buds of the basswood for food for themselves and their children, and, later on, plucking the rye and barley heads as soon as the kernel began to form. No wonder that even to their brave hearts the swallows sang in those days,

"Hard times in Canada."

This early Loyalist life that came to the Canadian forest is full of romantic interest, tragic and epic.

In it our poets may find more than a Miles Standish or an Evangeline to enrich at once our literature and history. Such a theme some Canadian Wordsworth might find in the story of Robert Land, a Loyalist, whose home was in one of the loveliest vales of the Delaware, and whose knowledge of the country and known ability had enabled him to perform valuable services for the King's army, and placed him in the way of being intrusted with important missions.

While engaged upon one of these, and having upon his person valuable despatches, he was discovered by the enemy and fired upon and wounded. But, by heroic exertion and fertility of resource, he hid himself away from the foe in a dense undergrowth of bushes. The rebels, finding traces of his wound, which bled profusely, reported him slain. But he finally made good his escape and delivered his despatches. When at length he was able to visit his home, to his horror he found it in ashes, and, believing his family massacred, he finally escaped to Canada, and came first to Drummondville at Niagara Falls, and afterwards acquired a farm of 300 acres, in what is now East Hamilton. Here he built a log cabin with one window, having a wolf skin for glass, and became for several years its solitary occupant. Returning from the field and forest one day, to his great surprise, he found a wearied and travel worn woman had crossed his threshold, accompanied by two grown up young men. His wife and two sons had come to him. His home by the Delaware had been

fired by the rebels, but his wife had escaped with her children ; and hearing the report that her husband had been slain, broken hearted and in despair she fled with her family to New Brunswick. But, ill at ease there, clinging to the fond hope that her husband was still alive, her widowed heart sent her, a Canadian Evangeline, with a happier fate, searching through the Loyalist settlements to Niagara Falls. Here she learned that a man named Robert Land had, at one time, dwelt in the neighborhood, and now lived a *solitary* under the shadow of the mountain beyond Stoney Creek. Thither she at once set out, and, accompanied by her two sons, walked the whole distance, some fifty miles, through the then forest, to restore to the lonely arms of her husband the long lost wife of his youth, to fill that lonesome cabin, between the mountain and the shore, with the glad halo of the joy and happiness of the reunited family.

Upon their settlement in Canada the Loyalists took an important and dominant part in shaping the history of the country. They included the cleverest and the most able of all classes : Discharged soldiers, lawyers, clergymen, merchants, farmers and mechanics ; and all were in indigent circumstances, but willing to build their fortunes afresh and develope those of the country by honest toil.

They renewed at once, in the Canadian Colonies, their old endeavors after constitutional rights for Englishmen beyond seas ; and this time there was no American Independence party to surprise and checkmate them. The Loyalists who settled in Nova Scotia asked for a larger representation of the people in the Colonial Government, and then for a division of the Province ; and both requests were finally granted. Those who settled in Old Canada objected to the Quebec Act of 1774, and obtained the Constitutional Act of 1791, and the creation of Upper Canada into a separate Province, more in accord with English institutions. This constitution of representative Government obtained for us by the Loyalists of the Maritime Provinces and of Old Canada, with enlarged application, after the manner of English Constitutional History, is the basis of the British North American Act of the Canadian Dominion. This Dominion is the splendid monument of the Loyalists' constitutional victory won in the

Greater Britain. The country steadily prospered from its settlement up to 1812. The government was satisfactory; the Colonial parliaments held short sessions, devoted to making provision for the building of roads, the establishment of schools, the making, in short, such necessary improvements as the public need required, and when this was done the Loyalist members of Parliament gave very little time or heed to what occupies so largely the party politics of to-day. They gave their time and energies to the enlargement of their farms and mills, and of this action of theirs we, to-day, reap large advantage. They kept themselves from that besetting temptation of English colonists, the running heavily into debt, handicapping their future with the necessity of an exorbitant public revenue. No civilized country was less burdened with taxes than was Canada West during that period of its history. £3,500 met its annual expenditure.

During the closing years of the last century and the first of the present, France, now with her anarchy and now with her despotism, threatened the overthrow of civilization with all its rights and liberties, and England stood between her and victory. In 1812 the United States strengthened the hand of the French despot by declaring war against England, and Canada became at once involved in the struggle. The spirit of the Loyalists shone out again in all its ancient splendor; they gave the strongest example in this century of the attachment of a people to their Mother Country, and of their determination at whatever sacrifice, and against whatever disparity, to maintain their connection with her. The Loyalists were the larger part of the population, and gave to the public spirit of the country its tone and sentiment. That sentiment found fitting expression in the address of the House of Assembly to the people of Upper Canada, made in response to the noble appeal of General Brock. Its tone may be seen in the following extracts:

"That the Government of the United States, while professing to be the friend of man and the supporter of his liberties, should, bribed by the tyrant of France, light the torch of war against England, the last pillar of true liberty and last refuge of oppressed humanity, is a madness altogether incomprehensible. * * * Our enemies in this war are they who once drove us from our homes and possessions, to this province. Their lands are manured with the blood of our friends and kinsmen. They drove our wives and children into

the woods, or threw them into dungeons. Remember, when you go forth to combat that you fight not for yourselves alone, but for the parent State contending for the oppressed of the nations."

There were Canadian boys of ten years in Brock's army which captured Detroit, and they volunteered out of families like the Ryersons. The Loyalists formed the greater part of the English forces, while their wives and daughters ennobled Canada with the heroism and daring of her Secords.

"A race
Of manly hero heart
In all high ventures."

The Canadian Loyalists were ready at every crisis in their history to imperil life and fortune, personal and national, that they might secure for themselves and their children their home in the United Empire under her constitution. Their history gives abundant proof that England has the power to make us all, everywhere in her world-wide home, Abdiels of her cause—that she can take us Canadians, Australasians, or whatever we may be, and make us all one in our common fealty.

The Loyalist devotion of Canadian life for the United Empire, as shewn in the American Revolution, the epic migration of Canada, and the war of 1812, gives its eloquent answer to the question—

Will not Imperial Federation prove a broken reed to lean upon for purposes of statesmanship in critical moments, when the more immediate and local interests and patriotisms may have such perilous tendency to become the *demons* of all centrifugal organization and life in the constitution and cosmos of the Empire?

Through holding the geographical position Canada does to the American Republic, one with her to a large extent in race and speech, no part of the Greater Britain can ever have its loyalty to the Empire put to a severer test than is ours, and yet no colony is more loyal. Canada, in any "dark forest" of popular despair or passion, tempted by any annexation "Stanley's handkerchief," however brilliantly dyed in any "Commercial Union," bartering her Loyalist inheritance of a United Empire with all its possibilities of material greatness, its coming "days of King Solomon" within measurable distance—an

Empire the crowning growth of time and nature, and that great impersonal artist, the English constitution—an Empire dowered by the ages with poetry and beauty, all that can charm the imagination and win the loving loyalty of the better feeling and higher intelligence of mankind, and hallowed in Canadian eyes by our Loyalist past—Canada parting with all this for American machine politics would be the most dismal performance ever enacted by man. Whatever surprises the future may have in store, it certainly cannot give us this. Canada at the inception of her birth was consecrated by her Loyalist martyrs and confessors a Nazarite of their cause. As the Silurian and Devonian rocks of England re-appear across the Atlantic as Canada, so the Loyalists made Canada in all that creates a people's heart one with England. They gave to Canada her English nationality to be our Canadian sentiment and instinct, made up of memory and hope, to be our national spirit, which swells every Canadian's heart—makes what else would be common earth, or the Indian's land, his Fatherland of Loyal English life sacred and dear, sending up to him brave messages from her loyal past and bright prophesies of her future—a future ever revealing the lofty secret of our parentage and destiny—a future that, issuing forth from our Loyalists' heights, and broadening our Canadian Dominion like our Lower St. Lawrence, shall merge into the world-wide Imperial responsibilities, powers and glories of the United Empire, enthroned amid her encircling seas and sceptered with the never setting sun.